IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 15TH MARCH 2007 / 24TH PHALGUNA 1928

Bail Appl..No. 1582 of 2007()

AGAINST THE ORDER IN BA.1296/2007 Dated 05/03/2007
CRIME NO.2/07 OF PERAVOOR POLICE STATION

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PETITIONERS :

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1. C.P.HAMEED , S/O.MOHAMOOD, AGED 24 YEARS, CHKKAYADATH,PUTHIYA PURAYIL, PUZHATHI AMSOM, KAKKAD DESOM P.O.,KOTTALI, KANNUR.

2. RAHEEM A.P., S/O.MUSTHAFA, AGED 19 YEARS, KARUVANCHAL HOUSE, ATHAYAKKUNNU, P.O.,KOTTALI, KANNUR.

3. NAZAR P.P., S/O.HUSSAIN, AGED 19 YEARS, PUTHIYAPURAYIL,PUZHATHI AMSOM, ATHAYAKKUNNU, P.O.,KOTTALI, KANNUR.

BY ADV. SRI.C.K.SREEJITH

RESPONDENTS:

SATE,REP. BY S.H.O. PERAVOOR POLICE STATION, REP. BY PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1582 OF 2007

Dated this the 15th day of March, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners, who are accused Nos.2, 5 and 1 respectively in Crime No.2/2007 of Peravoor Police Station for an offence punishable under Sec.395 I.P.C. for allegedly having come in a Maruti Omni Van and snatched the gold chain of the wife of the de facto complainant while she was drawing water from a well, seek their enlargement on bail. The occurrence took place on 5.1.2007 at 5.30 p.m. Accused Nos.1 and 5 were arrested on 31.1.2007 and the second accused was arrested on 3.2.2007.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor.

3. Since this court has already granted bail to the 4th accused as per order dated 5.3.2007 in B.A.No.1296/07, I do not see any reason to treat the petitioners differently. Accordingly, the petitioners are directed to be released on bail on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M., Kuthuparamba and subject to the following conditions:

a. The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

c. The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

d. The petitioners shall not commit any offence while on bail.

If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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